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PAUL W. MARTIN
NCR CORPORATION, LAW DEPT.
1700 S. PATTERSON BLVD.
DAYTON, OH 45479-0001

EXAMINER

BASEHOAR, ADAM L

ART UNIT

PAPER NUMBER

2178

MAIL DATE

DELIVERY MODE

12/05/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/623,363

Applicant(s)

SALMEN ET AL.

Examiner

ADAM L. BASEHOAR

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This action is responsive to communications: The Amendment filed 09/15/08.
2. The rejection of claims 1-23 under 35 U.S.C. 102(e) as being anticipated by Anuff et al (US-2002/0029296 03/07/02) has been withdrawn as necessitated by Amendment.
3. Claims 1-23 are pending in the case. Claims 1, 13, 14, and 20, are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-23 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Anuff et al (US-2002/0029296 03/07/02) in view of Sanders (US-6,938,077 08/30/05).

-In regard to independent claims 1, 14, and 20, Anuff teaches a process for authoring electronic information for presentation at an interactive electronic display with which an item may be ordered, comprising the steps of: providing at least a first template defining a default pattern (Paragraph 68: "Layout")(Fig. 5a & 5b) including a plurality of identified groups of cells (Paragraph 68: "layout contains groups...groups contain a set of modules": e.g. a given layout contains a default pattern of two groups containing three cells (i.e. modules) in the left column group and two cells in the right column group; Paragraph 75); providing group information comprising data records associating at least one of the cells (Paragraph 75: "form cells")(Fig. 5a & 5b) to each of a plurality of identified groups (Paragraph 68: "Groups contain a set of modules

specific to one user....respectively”; Paragraph 83); providing local presentation information comprising data records associating each of a plurality of presentation objects with at least one of said identified groups (Paragraph 6; Paragraphs 25-26; Paragraph 83: “maintains information”; Paragraph 136: “displays various sets of information”; Paragraphs 139-141); and reading said default pattern along with accessing said group information and said local presentation information, filling-in said cells (Paragraph 6: “presents an initial view, or front page”)(Fig. 2) with a number of the presentation objects (Paragraph 51: “specific bounded portion of content...display news, sports scores, stock quotes”; Paragraph 55; Paragraph 136).

Anuff further teaches wherein a host server provided the first template and the group information. Anuff also teaches wherein a plurality of other servers were utilized to provide at least some of the local presentation information which was then incorporated with the template and group information by the host server to be distributed to the user (Paragraph 30: “functionality associated with the portal is provided by a portal server...generated by the portal server...connect to other servers...connect to other network resources”)(Figs. 1 & 3). Anuff does not specifically teach an intermediate server between the portal server and client for constructing the client interface (e.g. HTML code). Sanders teaches maintaining a proxy server between a host web server and a client device, wherein the proxy server was utilized to provide web content resources to the client from the host web servers (column 6, lines 20-51; column 7, lines 62-67; column 8, lines 1-16 & 38-45)(Fig. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention for a proxy server to have been maintained between the host portal server and the client for constructing the client interface based on the stored presentation information, template, and group information, because Sanders taught that proxy servers

provided server/client systems the advantage of reducing load time for requesting client devices (column 7, lines 62-67: “advantages of proxy servers”; column 8, lines 1-45: “download time can be reduced”). Thus the client interface of Anuff could have been provided in a more efficient manner and at the same time reduced the processing load of the host portal server.

-In regard to dependent claim 2 and 16, Anuff teaches wherein: said step of providing group information further comprises optionally assigning cell characteristics (Paragraph 6: i.e. user-selectable and user-controllable; Paragraph 93: “Properties are associated with modules”); said group information is organized as a data structure (Paragraph 30: “data store”; Paragraph 88; Paragraphs 102-108)(Fig. 5a & 5b); said presentation information is organized as a data structure (Paragraph 30: “data store”; Paragraph 88; Paragraphs 102-108)(Figs. 2 & 5a & 5b); each of said plurality of presentation objects comprises at least one module of data having multisensory attributes (Paragraph 51)(Fig. 2); and each of said cells comprises a defined area of a display (Paragraph 6)(Fig. 2) whereupon activation results in at least one action selected from the group consisting of ordering an item, deleting an item, controlling a peripheral, navigating through dialog, controlling an internal dialog process, controlling an external process, and presenting at least one of said objects (Paragraphs 27-28; Paragraph 55).

-In regard to dependent claim 3, Anuff teaches wherein: said step of providing at least a first template further comprises providing a DIALOG template to include said first template and a second and third template (Fig. 5a & 5b)(Paragraphs 28 & 75), each defining a respective second and third default pattern (Fig. 5a & 5b)(Paragraphs 28 & 75); and said step of providing

group information further comprises assigning cell characteristics (Paragraph 75: “form cells”), and said cell characteristics comprises a characteristic selected from the group consisting of cell functions, multisensory attributes, and cell layout patterns (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94).

-In regard to dependent claim 4, Anuff teaches wherein: said group information is organized as a data structure (Paragraph 30: “data store”; Paragraph 88; Paragraphs 102-108)(Fig. 5a & 5b); said identified groups comprise a first, second, and third parent group (Fig. 5a & 5b)(Paragraphs 28 & 75-76), each respectively associated with said first, second, and third template (Fig. 5a & 5b)(Paragraphs 28 & 75-76); and said step of providing group information further comprises identifying at least a first and second subgroup for each of said parent groups (Paragraph 75: “form cells”)(Fig. 5a & 5b).

-In regard to dependent claim 5, Anuff teaches wherein: said step of providing group information further comprises associating each of said first and second display areas with a respective one of said identified subgroups (Paragraphs 75-76: “form cells”)(Fig. 5a & 5b), associating at least one cell to each of said identified subgroups (Paragraphs 75-76: “form cells”)(Fig. 5a & 5b), and said assigning cell characteristics comprises doing so for each of said identified subgroups of cells (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and said step of providing local presentation information comprises further associating each said presentation object with one of said identified subgroups (Paragraph 6; Paragraphs 25-26)(Fig. 2 & 10).

-In regard to dependent claims 6 and 17, Anuff teaches wherein said step of providing group information further comprises assigning initial cell characteristics (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); wherein said step of providing local presentation information further comprises assigning local cell characteristics to any of said cells (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and further comprising the step of, after said accessing of said group information and said local presentation information, overriding any of said initial cell characteristics of said group information with any of said local cell characteristics for which there is an overlap (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94: i.e. user initiated override).

-In regard to dependent claim 7, Anuff teaches wherein: said initial cell characteristics comprise a characteristic selected from the group consisting of cell functions, multisensory attributes, and cell layout patterns (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and said step of filling-in comprises populating each said cell with any respective of said presentation objects according to said data records of said local presentation information to generate the presentation at an interactive kiosk (Paragraph 6: “presents an initial view, or front page”)(Fig. 2).

-In regard to dependent claim 8, Anuff teaches wherein: said identified groups comprise (a) a first parent group associated with said first template (Paragraph 68: i.e. left column group contains three modules), and (b) a second parent group associated with a second template defining a second default pattern (Paragraph 68: i.e. right column group contains two

modules); and said step of providing group information further comprises: identifying at least a first and second subgroup for each of said parent groups (Paragraph 51); associating each of a first and second display area of said first default pattern with a respective first- and second-subgroup of said first parent group (Figs. 2, 5a, and 5b)(Paragraph 75); associating each of a first and second display area of said second default pattern with a respective first-and second-subgroup of said second parent group (Figs. 2, 5a, and 5b)(Paragraph 75); and associating a plurality of cells respectively with each of said subgroups (Figs. 2, 5a, 5b, and 10)(Paragraph 75-76).

-In regard to dependent claim 9, Anuff teaches wherein: said step of providing group information further comprises assigning cell characteristics for each of said parent groups (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and said step of providing local presentation information comprises further associating each said presentation object with one of said subgroups (Fig. 2).

-In regard to dependent claim 10, Anuff teaches wherein said step of providing group information further comprises assigning cell characteristics for each of said plurality of cells associated with said subgroups (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and further comprising, after said step of providing group information and before said step of reading said default pattern (Paragraph 6: “presents an initial view, or front page”)(Fig. 2), the step of editing said group information, based upon a level of access granted to do so (Paragraphs 92-97).

-In regard to dependent claim 11, Anuff teaches wherein each of said plurality of presentation objects comprises at least one module of data having multisensory attributes (Paragraph 51)(Fig. 2); and further comprising the step of, reading said first and second default pattern along with accessing said group information and creating a respective first and second intermediary display pattern such that each said first and second intermediary display pattern has said cell-to-subgroup associations of said respective first and second default pattern (Fig. 5a & 5b)(Paragraphs 28 & 75-79).

-In regard to dependent claim 12, Anuff teaches comprising the step of copying and storing said second intermediary display pattern as a plurality of instantiation second display patterns (Paragraphs 74-79; Paragraph 103); and wherein: said creating said first and second intermediary display patterns occurs at a first location (Paragraph 6: “portal server”; Paragraphs 74-79); said step of reading said default pattern further comprises reading said first and second intermediary pattern and each of said instantiation second display patterns (Paragraphs 75-80); and said step of filling-in comprises, at a second location, populating each said cell of said first and second intermediary display patterns and each of said instantiation second display patterns with any respective of said presentation objects according to said data records of said local presentation information (Paragraph 136: “user’s front page is displayed via the browser application”)(Fig. 2).

-In regard to independent claim 13, Anuff teaches a process for authoring electronic information for presentation at an interactive electronic display with which an item may be

ordered, comprising the steps of: providing at least a first template defining a default pattern having a first and second display area (Paragraph 68: "Layout")(Fig. 5a & 5b); providing initial group information comprising data records associating at least one cell to each of a subgroup associated with each said first and second display area (Paragraphs 75-76: "form cells")(Fig. 5a & 5b); editing said initial group information, based upon a level of access granted to do so (Paragraphs 93-94); providing local presentation information comprising data records associating each of a plurality of presentation objects with at least one of said subgroups (Paragraph 26: "resources available to the user"); and reading said first and second default patterns along with accessing said edited group information and said local presentation information, populating each said cell with any respective of said presentation objects according to said data records of said local presentation information (Paragraph 6: "presents an initial view, or front page"; Paragraph 136: "front page displayed via the browser")(Fig. 2).

Anuff further teaches wherein a host server provided the first template and the group information. Anuff also teaches wherein a plurality of other servers were utilized to provide at least some of the local presentation information which was then incorporated with the template and group information by the host server to be distributed to the user (Paragraph 30: "functionality associated with the portal is provided by a portal server...generated by the portal server...connect to other servers...connect to other network resources")(Figs. 1 & 3). Anuff does not specifically teach an intermediate server between the portal server and client for constructing the client interface (e.g. HTML code). Sanders teaches maintaining a proxy server between a host web server and a client device, wherein the proxy server was utilized to provide web content resources to the client from the host web servers (column 6, lines 20-51; column 7, lines 62-67;

column 8, lines 1-16 & 38-45)(Fig. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention for a proxy server to have been maintained between the host portal server and the client for constructing the client interface based on the stored presentation information, template, and group information, because Sanders taught that proxy servers provided server/client systems the advantage of reducing load time for requesting client devices (column 7, lines 62-67: “advantages of proxy servers”; column 8, lines 1-45: “download time can be reduced”). Thus the client interface of Anuff could have been provided in a more efficient manner and at the same time reduced the processing load of the host portal server.

-In regard to dependent claim 15, Anuff teaches wherein: said first default pattern defines at least a first and second display area (Paragraph 68: “Groups contain a set of modules...respectively”); said DIALOG template further comprises a second and third template respectively defining a second and third default pattern (Fig. 5a & 5b)(Paragraphs 28 & 75), each of which has first and second display areas (e.g. (Fig. 5a & 5b)); said identified groups comprise a first, second, and third parent group (Fig. 5a & 5b: e.g. Row 1 or Column 1) each respectively associated with said first, second, and third template; and said data records of said group information further identify a first and second subgroup for each of said parent groups (Paragraphs 75-76: i.e. cells included in each group)

-In regard to dependent claim 18, Anuff teaches comprising a second processor adapted for permitting editing, based upon a second level of access granted to do so, of said group information; and wherein said first processor is further adapted for permitting editing,

based upon a first level of access granted to do so, of said local presentation information, said first level of access being more-restricted than said second level (Paragraphs 92-95).

-In regard to dependent claim 19, Anuff teaches comprising an intermediary display pattern created at a first location using said default pattern and having accessed said group information such that said intermediary display pattern has said cell-to-group associations of said default pattern (Paragraphs 74-79); and wherein: said processor is at a store location (Fig. 1: 12a-n) and said default pattern read for said filling-in said cells was said intermediary display pattern (Paragraphs 75-79); said identified groups comprise (a) a first parent group associated with said first template (Paragraph 68: i.e. left column group contains three modules), and (b) a second parent group associated with a second template defining a second default pattern (Paragraph 68: i.e. right column group contains two modules); said data records of said group information further identify at least a first and second subgroup for each of said parent groups (Paragraph 51), and further associate at least one cell with each of said subgroups and said data records of said local presentation information further associate each said presentation object with one of said identified subgroups (Paragraphs 75-79; Paragraph 136)(Figs. 2 & 10).

-In regard to dependent claim 21, Anuff teaches wherein said second program sub-code further comprises assigning a cell characteristic, said cell characteristic comprising a characteristic selected from the group consisting of cell functions, multisensory attributes, and cell layout patterns (Paragraph 6; Paragraphs 76-78; Paragraphs 93-94); and further comprising: a fifth program sub-code permitting editing of said group information, based upon a first level of

access granted to do so, before said step of reading said default pattern and filling-in said cells; and a sixth program sub-code permitting editing of said local presentation information, based upon a second level of access granted to do so, before said step of reading said default pattern and filling-in said cells (Paragraph 6; Paragraphs 93-95)(Fig. 10).

-In regard to dependent claim 22, Anuff teaches wherein: said identified groups comprise a first parent group associated with said first template; said second program sub-code comprises instructions for identifying a first and second subgroup for said parent group, said first subgroup associated with a first display area of said default pattern, said second subgroup associated with a second display area of said default pattern, and further associating at least one cell with each of said subgroups; and said third program sub-code comprises instructions for further associating each said presentation object with one of said identified subgroups (Paragraphs 75-79; Paragraph 136)(Fig. 2).

-In regard to dependent claim 23, Anuff teaches comprising a fifth program sub-code for creating an intermediary display pattern at a first location (i.e. server) using said default pattern and said group information such that said intermediary display pattern has said cell-to-group associations of said default pattern (Paragraphs 75-76)(Fig. 5a & 5b); wherein said fourth program sub-code comprises instructions for reading said intermediary pattern and for filling-in each said cell with any respective of said presentation objects according to said data records of said local presentation information (Paragraphs 76-79); and further comprising a sixth program

sub-code for generating the presentation at an interactive kiosk at a second location (Paragraph 136)(Fig. 1: 10a, 10b, 10c: i.e. client).

Response to Arguments

6. Applicant's arguments with respect to the amended independent claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Please note the additionally cited references on the accompanying PTO-892 form.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L. Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Adam L Basehoar/
Primary Examiner, Art Unit 2178